

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the “Commission”), under the authority vested in it under the Political Reform Act (the “Act”)¹ by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulations at a public hearing on or after **December 8, 2011**, at the offices of the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, California, commencing at approximately **10 a.m.** Written comments must be received at the Commission offices no later than **5:00 p.m.** on **December 6, 2011**.

BACKGROUND/OVERVIEW:

The final report of the Chairman’s Task Force, presented to the Commission at its January 2011 meeting, recommended that the Commission revise existing regulations governing campaign filings by multi-purpose organizations, to provide to the extent possible a single clear standard for identifying and reporting campaign contributions to organizations that also solicit and receive donations for purposes other than influencing California elections.

The Act defines the term “contribution” (in pertinent part) as a payment made for a political purpose, which can include many kinds of payments to a multi-purpose organization – for example, payments responding to an appeal soliciting “donations” to fund an advertisement supporting a measure in an upcoming election. By contrast, “donations” to such groups that are not made for a political purpose, and are not used for a political purpose, are not “contributions.” The proposed regulatory language implements this recommendation by establishing a more clear rule to be used for identifying and reporting donations to multi-purpose groups that are classified as “contributions” under the Act’s “one bite of the apple” provision at Regulation 18215(b)(1).

REGULATORY ACTION:

Adopt 2 Cal. Code Regs. Section 18412, to specify the circumstances under which a donation to specified organizations will be considered a reportable contribution to the organization;

Amend 2 Cal. Code Regs. Section 18215(b), to provide subject headings that will make it simpler to navigate the provisions of that regulation;

Amend 2 Cal Code Regs Section 18413(d)(2)(C), to direct persons filling out a campaign report to the rule specified in 2 Cal. Code Regs. Section 18412.

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

SCOPE:

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issues identified above or related issues.

FISCAL IMPACT STATEMENT:

Fiscal Impact on Local Government. This regulation will have no fiscal impact on any local entity or program.

Fiscal Impact on State Government. This regulation will have no fiscal impact on any state entity or program.

Fiscal Impact on Federal Funding of State Programs. This regulation will have no fiscal impact on the federal funding of any state program or entity.

AUTHORITY: Government Code Section 83112 provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Political Reform Act.

REFERENCE: The purpose of this proposed action is to implement, interpret, and make specific Government Code Section 82015.

CONTACT: Any inquiries should be made to Lawrence T. Woodlock, Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, CA 95814; telephone (916) 322-5660 or 1-866-ASK-FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/index.php?id=247#2>.